

The protection of the creative industrial property rights and international law

The topic of submitted thesis is “The protection of the creative industrial property rights and international law”. Its aim is to analyse the regulation of creative industrial property rights from the international perspective.

The thesis is divided into two main parts. In the first one I have described the history of international cooperation in the field of industrial property protection, the milestones to be emphasized are the Paris Convention for the Protection of Industrial Property Rights (1883), the Convention Establishing the World Intellectual Property Organization (1967) and the Agreement on Trade-Related Aspects of Intellectual Property Rights (1994). Some attempts of regional cooperation are briefly discussed, especially those in Europe (European Union, European patent organization), but others in the Eurasian area, Africa, Asia, South America and other parts of the world as well.

The second part of the thesis is focused on the individual types of creative industrial property rights. The most important is the patent protection, besides the Paris Convention and the TRIPS Agreement there are some other relevant legal instruments, such as the European Patent Convention, the Patent Cooperation Treaty, the Patent Law Treaty or the Strasbourg Agreement. Some specific problems of the patent protection of pharmaceuticals are also mentioned. Besides patents, the international harmonisation of other types of rights is described, i.e. the industrial designs, the utility models, the topographies of semiconductor products and the plant variety rights. From the Czech perspective, it is necessary to focus on the EU effort of the harmonisation.